

# **TOWN OF ROCKLAND**

## **Board of Selectmen**

Town Hall  
242 Union Street  
Rockland, Massachusetts 02370

**MINUTES OF THE BOARD OF SELECTMEN'S OPEN SESSION held on  
Monday, June 27, 2005 at 6:07 PM in the H. Bernard Monahan Memorial Room,  
Town Hall, 242 Union Street, Rockland, Massachusetts 02370.**

**ATTENDANCE: Louis U. Valanzola, Lawrence J. Chaffee, Mary A. Parsons,  
Keven D. Pratt and Kelli A. O'Brien-McKinnon**

Mr. Valanzola explained that tonight's meeting is to discuss the Air Base Redevelopment Plan and Host Community Agreement and with the possibility of going into Executive Session.

Mr. Valanzola – We have a couple of issues: we did agree in principle to a Host Community Agreement (we do not have anything in writing). I was hoping that we would get a memo of understanding of agreement. I contacted our attorney at K&P today, he hasn't had an opportunity to render an opinion on this yet. He suggested perhaps postponing this for thirty (30) days to give him more time to look at the information out there. At this point I would like to open this up to the other board members.

Mr. Chaffee – What I would like from LNR is assurances that even though we do not have anything written that after the conclusion of tonight's Town Meeting if it goes in a favorable motion that the discussions are ongoing and this is a work in progress. I don't want to see a situation where we have nothing in writing and then all of a sudden everything comes off the table. That would be a concern.

Mrs. Parsons – Are you trying to keep me from speaking at Town Meeting?

Mr. Hall - The discussion has to be centered on how this board wants to take this vote to make it the position of the board as an entity, individuals can think what they want to think.

Mrs. Parsons – You just said that it hinges on this board being unanimous and that no one at Town Meeting will speak against this project.

Mr. Hall - It doesn't have to be about a unanimous vote, once the will of the board is known and that would be something that the whole board supports.

Mrs. Parsons – I would think that you would make that clear in writing at this point because that's a gamble. That's basically trying to prevent someone from speaking at Town Meeting and I'm not only a Selectman, I'm a private citizen.

Mr. Valanzola – I wasn't happy with what you mentioned about the other day that she would probably get up to speak because she spent a lot of time on this. Again it's a fine line in what you want to question what might be coming out in opposition and what might just be questions. My concern is that we do not have anything in writing and that at the end of the meeting you might say she said the wrong thing so the whole deal is off the table. That really concerns me. You made that statement the other day and you made it here that if Mary or anyone else gets up and says the wrong thing that you are going to pull this deal off the table. Let me give the other board members a chance to speak.

Mr. Pratt – Mr. Chaffee acknowledged my sentiments. I'm all set for now.

Mrs. O'Brien-McKinnon – I was happy with the deal the other night and as Mr. Chaffee said before I just want to see that what we have already agreed on stays and we don't lose anything. That is my concern.

Mr. Chaffee – Mrs. Parsons and I may not agree on a lot of things, but the one thing I do agree with is that she has the right to speak and voice her mind and I don't want to see this board held hostage because a member of the board who may not agree with the rest of the board gets up and speaks. I handle my disagreements differently from her that's why we are different. To tell her that she can't speak and that will put the agreement up to ... I don't think that is fair.

Mr. Valanzola – I also think that in light of the fact that K&P's Rich Bowen hasn't had a chance to look at this yet. He suggested to me in an email that it would be a good move to postpone it. We could set the date tonight if that is the pleasure of the BOS. That way we can get this Host Community Agreement thing nailed down. We can get an opinion from the attorneys and go forward. It leaves less questions out on the floor and I think it will give us a better chance of getting this thing passed through. That has got to be the will of the BOS.

Mrs. O'Brien-McKinnon – This is a question. Even if you put that before Town Meeting you know that there is a major possibility that you are going to be voted down.

Mr. Valanzola – Sure...there is a good strong one. But if something happens down the road we can say look we put it out there for you ... there are no guarantees. We should have this in writing (no offense there). Some of these negotiations were kind of contentious. I think at this point we would better be safe than sorry with a project of this magnitude. I don't think Weymouth has even set a date yet. Thirty days would put us at a tentative date that Weymouth is looking at of July 25<sup>th</sup>. I don't think that would be a real hindrance at this point and it would give us more time to look at it and our attorneys more time to look at it.

Mr. Pratt – I agree with you to some degree but I don't think that is going to happen tonight. Mr. Valanzola – That's fine. Mr. Pratt – I think the people are going to want to look at it, hash it out and get this thing over with.

Mr. Valanzola – But we are hashing it out without any guarantee that we are going to get this Host Community Agreement. Don't forget the time frame is stipulated in that. You could be looking somewhere down the road before we get what we want for this thing. Something of this magnitude to push us into it as this point is ... at least if we put it out there we are responsible and if you would like to give us another 30 days due diligence ...they go ahead and a they still want to conduct a meeting because they think they have the votes with the field thing...that's fine. But at least we put it out there.

Mr. Pratt – On the issue of Mary speaking, I do agree that Mary is a private citizen as well as a board member. She can speak and say anything she wants but I think that if she's going to make statements that are contrary to the will of the BOS she would have to make it clear that she is doing it as a private citizen. (To Mary...Is that fair?) Mrs. Parsons – I have no problem with that. I'm not making any statements as a Selectman.

*(Did not identify himself)* That is fine with us.

Mr. Chaffee – So that assures us that this agreement will be an ongoing working document as long as she .....

As long as the will of the BOS has been stated and she (or anyone on the BOS) is speaking as a private citizen the agreement will be honored.

Mrs. Parsons – The BOS needs to make it clear to Town Meeting that we have nothing in writing. Mr. Valanzola – I definitely will, fair is fair and if they want to go ahead with it...that's the way.

Mr. Minahan - Are they in a position to buy *(unintelligible)*.....  
They would have to go through legal review. Mrs. Parsons – There is nothing. Mr. Valanzola – One of the things I asked the attorney was if they could do a memo of understanding at least stipulate the amount ...general payout would be worked out later. Then he said that generally they are not enforceable ... my opinion is that it is better to have something in writing than not to have anything in writing at all. Then he tended to agree with me. There is no harm in getting one. I think that we could have put something together over the last couple of days (I'm not sure how complicated this would be) I didn't expect it would happen tonight but that's why I shot for the memo of understanding. Mr. Pratt – To be honest, I think that LNR put themselves on the line just putting it in the newspaper and putting it out there that they are committing to a 6.3 number. Mrs. Parsons – Your not getting this money until about five years from now.

Mr. Morrell – same *(unintelligible)* applied in Abington we will state in public and if you know your law a representation made to induce a vote that could be interpreted could have us legally bound. I don't think you should be too concerned, certainly Abington wasn't. We are a national company that isn't going to *(unintelligible)* this around lightly,

we never had and we are not going to start now. If Mary is not satisfied with it let her so state. Mr. Valanzola – That is only one of the issues, the other issue is that our attorneys are looking at this now and we would like to have them render an opinion beforehand. Mr. Morrell – The same thing applied in Abington, there is no final agreement, there is no memo of understanding signed. Their BOS was satisfied with our public statement at Town Meeting. Mr. Valanzola – As far as the Host Community Agreement, I'm talking about the zoning and the reuse plan in general.

Mr. Hall – I presented in Executive Session a letter to you the other night that could be (*paper rattling – unintelligible*) do you recall that letter. I think it covered most of the issues.

Mr. Pratt – A question for Dr. John Rogers – You have looked over this whole thing from day one. Did you have attorneys involved? Dr. Rogers – Yes, we've had Beth Mitchell involved. Let me just say about trusting LNR, I've been working with them for three years and they have never gone back on their word. Sometimes we haven't received it in writing ahead of time but they have always followed through. If they say we are going to get \$6.3 million dollars, we're getting \$6.3 million dollars. Our attorneys have approved all these documents. Mr. Pratt - Including the zoning and reuse? Dr. Rogers - Everything our attorneys were in on it from day one.

Mr. Fancher – It is my understanding that you had a requirement on Parmenter and Forest Streets an agreement between myself and Mr. Hall that should clarify the vote for you.

Mr. Minahan – On the \$6.3 million dollars, is that going to be the Town of Rockland's decision on where that money is going to be spent or is that going to be dictated by LNR? Mr. Valanzola – That is one of the details that we still have to work out. The way it is written now, it comes to the Town and I think it's up to the BOS to see how that money is spent. Personally I did not like the way this approach was taken with the sports people to buy off their votes for that million dollars on an article that was defeated just two months ago. Everyone I talked to over the weekend wasn't happy with that either. I think it should be up to the BOS on how this money is spent. Not to say the money wouldn't go to the field, some of these fields do need work. But Bicentennial Park was just done over a couple of years ago. They have done the Spring Streets fields over...the baseball people did those. Mr. Minahan – Do you think your board would be open to possibly how this money is allocated by letting the people vote and see where they want to spend the money? Mr. Valanzola – As long as it doesn't go to the budget, short fall or operational expenses. Mr. Chaffee – How much of this money in theory are we going to see the first year? Because this issue of where this money is going to go .....

We're not getting \$6.3 million dollars in the Fall. It's going to be spread out over a three-four year period. Until we see how it is going to be paid back and the schedule of what is coming out each year; I think it's way premature to talk about how we are going to allocate it. Just one thought! Mrs. Parsons – Does this money hinge on getting permit approval before you release it? Mr. Fancher – yes. Mrs. Parsons – Then you won't be seeing it in the Fall either. Mr. Fancher – We have to get it back from the Navy first. Mrs. Parsons – So we won't be seeing any initial payment for another two-three years.

Mr. Fancher – A portion of this going to investments over a three or four year period I don't see anything wrong with that. Mrs. Parsons – I'm not saying there is anything wrong with that. I'm saying with this timeline it's further out than what Mr. Minahan is expecting. Mr. Valanzola – The issue would be where would you spend the money first. Over a five year period, you would be getting \$1.2 a year so now you have to decide (the roads, the sports fields, schools, etc.) that is going to be another issue going forward. Mrs. O'Brien-McKinnon – But that is our issue, that is for us to decide. At the moment we only need to know the schedule. Mr. Valanzola – It's influenced by what we get....if we got half up front it would be much easier. If ultimately we decided to give a million to the fields and we have two or three million you can do that. But if you say we are going to give a million to the fields while our roads are still falling apart and you are going to have to wait until next year...Mrs. O'Brien-McKinnon – We will just have to prioritize. We'll have to know the amounts and prioritize those amounts and how they are spent out. Mr. Pratt – At this point where are we at? Do we have a motion accept or decline the proposal? Mr. Plante – The motion would be whether or not the BOS are supporting the redevelopment plan. Mr. Valanzola – Could we also make a recommendation on postponing or delaying this vote? Mr. Pratt – You have to make that at the floor at Town Meeting. Mr. Plante – I think what the Chairman is saying whether or not the BOS want to make the recommendation.

**Motion: Mr. Chaffee to recommend a positive recommendation of this plan to go forward for Town Meeting**

**Second: Mrs. O'Brien-McKinnon**

**Vote: 3-2 Mr. Chaffee – in favor; Mrs. Parsons – no; Mr. Pratt – yes; Mrs. O'Brien-McKinnon – yes; Mr. Valanzola – no.**

**Motion: Mr. Pratt to support the zoning**

**Second: Mr. Chaffee**

**Vote: 3-2 Mr. Chaffee – in favor; Mrs. Parsons – no; Mr. Pratt – yes; Mrs. O'Brien-McKinnon – yes; Mr. Valanzola – no.**

**Motion: Mr. Pratt to adjourn (time not indicated) and enter Executive Session**

**Second: Mrs. Parsons**

**Vote: 5-0 Mr. Chaffee-yes, Mrs. Parsons-yes, Mr. Pratt-yes, Mrs. O'Brien-McKinnon-yes and Mr. Valanzola-yes**

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**LAWRENCE J. CHAFFEE  
VICE-CHAIRMAN**

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**BRADLEY A. PLANTE  
TOWN ADMINISTRATOR**